

Referral
6-4-19.

**NEIGHBORHOOD
AND COMMUNITY
SERVICES
STANDING
COMMITTEE**

**OFFICE OF CONTRACTING
AND PROCUREMENT**

May 29, 2019

HONORABLE CITY COUNCIL:

The Purchasing Division of the Finance Department recommends a Contract with the following firm(s) or person(s):

6001968 100% City Funding – To Provide Labor and Parts for Case Construction Equipment. – Contractor: Southeastern Equipment Co., Inc. – Location: 48545 Grand River Ave., Novi, MI 48374 – Contract Period: Upon City Council Approval through June 1, 2021 – Total Contract Amount: \$40,000.00. **GENERAL SERVICES**

Respectfully submitted,

Boysie Jackson, Chief Procurement Officer
Office of Contracting and Procurement

BY COUNCIL PRESIDENT PRO TEM SHEFFIELD

RESOLVED, that Contract No. 6001968 referred to in the foregoing communication dated May 29, 2019, be hereby and is approved.

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**OFFICE OF CONTRACTING
AND PROCUREMENT**

May 29, 2019

HONORABLE CITY COUNCIL:

The Purchasing Division of the Finance Department recommends a Contract with the following firm(s) or person(s):

6002109 100% City Funding – To Provide New Parking Lot Lighting, on a Design/Build Basis. – Contractor: Bayview Electric Company, LLC – Location: 3011 W. Grand Blvd., Ste. 425, Detroit, MI 48202 – Contract Period: Upon City Council Approval through May 27, 2020 – Total Contract Amount: \$1,756,805.00. **GENERAL SERVICES**

Respectfully submitted,

Boysie Jackson, Chief Procurement Officer
Office of Contracting and Procurement

BY COUNCIL PRESIDENT PRO TEM SHEFFIELD

RESOLVED, that Contract No. 6002109 referred to in the foregoing communication dated May 29, 2019, be hereby and is approved.



CITY OF DETROIT
LAW DEPARTMENT

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DETROIT, MICHIGAN 48226-3437
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May 24, 2019

Detroit City Council
1340 Coleman A. Young Municipal Center
Detroit, Michigan 48226

Re: Amendment To Chapter 40, *Parks and recreation*, Article I, *In general*, by adding Division 5, *Park naming procedures*.

Honorable City Council:

At the request of Council President Brenda Jones, the Law Department has prepared an amendment to Chapter 40, *Parks and recreation*; Article I, *In general*, by adding Division 5, *Park naming procedures*, to include Sections 40-1-100 through 40-1-109. The amendment will add a new division that will address a procedure to name or rename City parks. The new division will encompass the application process, delineate the respective roles of the General Services Department and City Council, speak to the resolution by City Council authorizing the naming or renaming of a park and lastly, address the public hearing requirements. A copy of the ordinance, which has been approved as to form, is attached for your consideration.

I look forward to discussing this important legislation with this Honorable Body.

Respectfully Submitted,

Mary Parisien
Assistant Corporation Counsel
City of Detroit Law Department
Municipal Section

SUMMARY

AN ORDINANCE to amend Chapter 40 of the 1984 Detroit City Code, *Parks and Recreation*, Article I, *In General*, by adding Division 5, *Park naming procedures*, to include Section 40-1-100, *Permitted*, Section 40-1-101, *Definitions*, Section 40-1-102, *Official application form required*, Section 40-1-103, *Procedure*, Section 40-1-104, *Fee*, 40-1-105, *Department review of application*, Section 40-1-106, *Report*, Section 40-1-107, *Resolution by City Council authorizing the naming or renaming of a City park*, Section 40-1-108, *Public hearing*; and Section 40-1-109, *Duties of the General Services Department*.

1 **BY COUNCILMEMBER _____:**

2 **AN ORDINANCE** to amend Chapter 40 of the 1984 Detroit City Code, *Parks and*
3 *Recreation*, Article I, *In General*, by adding Division 5, *Park naming procedures*, to include
4 Section 40-1-100, *Permitted*, Section 40-1-101, *Definitions*, Section 40-1-102, *Official application*
5 *form required*, Section 40-1-103, *Procedure*, Section 40-1-104, *Fee*, 40-1-105, *Department review*
6 *of application*, Section 40-1-106, *Report*, Section 40-1-107, *Resolution by City Council*
7 *authorizing the naming or renaming of a City park*, Section 40-1-108, *Public hearing*; and Section
8 40-1-109, *Duties of the General Services Department*.

9 **IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT THAT:**

10 **Section 1.** Chapter 40 of the 1984 Detroit City Code; *Parks and Recreation*; Article I, *In*
11 *General*, by adding Division 5, *Park naming procedures*, Sections 40-1-100 through 40-1-109, to
12 read as follows:

13 **CHAPTER 40. PARKS AND RECREATION**

14 **ARTICLE I. IN GENERAL**

15 **DIVISION 5. PARK NAMING PROCEDURES**

16 **Sec. 40-1-100. Permitted.**

17 (a) Certain City parks may be named or renamed in accordance with this division.

18 (b) A park renaming may be sought to recognize a person who has achieved
19 prominence as a result of his or her significant position, contributions to the City of Detroit, State
20 of Michigan, the United States of America, or the international community, or to commemorate a
21 place or an event in the City of Detroit that seeks to preserve and honor the history of the City.

22 (c) City Council shall reserve the authority to rename any park if the individual or
23 entity it was named for is deemed disreputable or subsequently acts in a disreputable way.

1 **Sec. 40-1-101. Definitions.**

2 For the purpose of this division, the following words and phrases shall have the meanings
3 respectively ascribed to them by this section:

4 *Amenities* means resources, conveniences, facilities or benefits offered to the general public
5 for their use, with or without charge, such as restrooms, information displays, public telephones,
6 rain shelters, and drinking fountains.

7 *Applicant* means a resident of the City of Detroit that is 18 years of age or older.

8 *Department* means the City's General Services Department.

9 *Park* means all parks, parkways, playfields, park lots, grass plots, golf courses,
10 playgrounds, recreation centers, athletic fields, open places, squares, lands under water and other
11 areas which are now owned by the City or under City control or may hereafter be acquired by
12 purchase, gift, devise, bequest, loan or lease.

13 *Radial feet* means the measurement between two properties, measured as the shortest
14 straight line connecting such properties, drawn irrespective of intervening property lines, rights-
15 of-way, or natural or built environment. Radial feet shall be measured from the parameter of the
16 park.

17 **Sec. 40-1 -102. Official application form required.**

18 (a) Applications for the naming or renaming of City parks shall be provided by the
19 Department and shall be made available on the Department's website.

20 (b) The applicant must obtain 50 signatures from residents whom reside within the area
21 of the park.

22 (c) No form other than that referenced in Subsection (a) of this section shall be
23 accepted as a valid application.

1 **Sec. 40-1-103. Procedure.**

2 (a) A complete application to name or rename a City park shall be filed with the
3 Department not less than six months prior to the proposed date of the naming or renaming of the
4 park.

5 (b) Requests for name changes to existing property may be submitted by a Detroit
6 resident who is 18 years of age or older, a property owner, or a City official.

7 (c) The Department shall reserve the right to propose the naming or renaming of a park
8 to City Council.

9 (d) The applicant shall provide, as an attachment to the application:

10 (1) A statement describing why the park should be named after the individual or entity,
11 which shall include:

12 a. The historical, cultural or social significance of the name;

13 b. If the name will memorialize or commemorate people, places or events that
14 are of enduring importance to the community or the City;

15 c. If the name will be identified with a major achievement or the advancement
16 of the public good within the community or City; and,

17 d. If the name will be suitable for the park based on the location or history of
18 the park.

19 (2) Evidence indicating the physical characteristics of the park, which may include, but
20 is not limited to a map or photographs of the park.

21 (3) A summary of any public outreach conducted to date, including neighborhood
22 associations, Neighborhood Councils, Business District Associations, and

commercial property owners' groups. This may include any statements of support or endorsement received.

(4) A minimum of 50 signatures of residents within the area of the park that is to be named or renamed.

(e) The Department, upon receiving an application to name or rename a park shall review the proposal for completeness:

(1) If the application is complete and meets the criteria in this Section, then the Department shall provide a report and recommendation to City Council in accordance with Section 40-1-106 of this Code.

(2) If the Department determines the application is not complete the Department shall provide to the applicant, in writing, within 30 days of submission of the application, a description of what information is needed to complete the request. The applicant shall have 30 days after receipt of the notice of incompleteness from the Department to complete the application and return it to the Department. Failure to complete the application shall result in the forfeiture of the application fee.

(f) Applications for the naming or renaming of amenities shall be reviewed by the Department and approved or denied unilaterally without submission to City Council.

Sec. 40-1-104. Fee.

A non-refundable fee shall be required to process the application to name or rename the park and shall be determined by the Department and subject to approval by City Council.

1 **Sec. 40-1-105. Department review of the application.**

2 (a) The Department shall use the following criteria when considering applications to
3 name or rename a park:

4 (1) To avoid duplication, confusing similarity or inappropriateness, the Department, in
5 considering the name request, shall review existing park, building and facility
6 names;

7 (2) The names may be based on distinctive, predominant and defining natural or
8 geological features of an area;

9 (3) A park may be given a name based on historical significance if it meets one of the
10 following:

11 a. The name is associated with a historically significant event or for events
12 reflecting broad patterns of Detroit's history;

13 b. The name is associated with the lives of persons of citywide significance in
14 Detroit's past. Names requested for individuals may only be made after the
15 individual has been deceased for five years or more, unless the individual
16 meets the requirements of Subsections (a)(4) and (5) of this section, or at
17 the discretion of the Director of the Department.

18 c. The name reflects a distinctive architectural or engineering achievement; or

19 d. The name is related to an existing or proposed registered historic property
20 or district.

21 (4) A park may be named for a person or non-profit entity that has been active for at
22 least 50 years, when the entity's contribution to the City has been substantial and
23 has a positive impact on the community.

1 (5) A park may be named for an individual or organization if that individual or
2 organization has made a significant direct property or monetary contribution to the
3 City of Detroit, consistent with the City's relevant acceptance policies, for purposes
4 of developing that particular park and the naming is a stipulation of the donation.

5 (b) Upon receipt of a proposal requesting a park be renamed, the Department shall
6 investigate and consider the potential impact of removing the current name.

7 **Sec. 40-1-106. Report.**

8 The Department shall submit a report of the name request to City Council who shall, at
9 their discretion, approve or deny the Department's recommendation of the suggested name. The
10 report to City Council shall include the following:

- 11 1. A copy of the application;
- 12 2. A brief summary of the Department findings regarding the name request;
- 13 3. A map of the park; and,
- 14 4. A recommendation to Council for action to be taken.

15 **Sec. 40-1-107. Public hearing.**

16 Upon an approval of the name change request by City Council, Council shall adopt a
17 resolution fixing the time and place of a public hearing. Notice of the public hearing shall be given
18 to the City Clerk's Office and sent to all individuals within a 300 radial foot distance, and shall
19 also be published in a newspaper of general circulation at least five days prior to the date fixed for
20 the hearing.

1 **Sec. 40-1-108. Resolution by City Council authorizing the naming or renaming of a City**
2 **park.**

3 Where an application for a park naming or renaming is approved by the City Council, a
4 certified copy of the resolution adopting the request shall be transmitted by the City Clerk to the
5 Department.

6 **Sec. 40-1-109. Duties of the General Services Department.**

7 (a) After adoption of the resolution by City Council, the Department shall collect
8 payment from the applicant.

9 (1) Payment for the sign shall be made by the applicant prior to the installation of the
10 park sign for the cost of designing, producing, and installing the sign; and

11 (2) Payment shall be deposited into the General Services Department fund.

12 (b) The Department shall erect the park sign within 45 days from the date of adoption
13 of the resolution by City Council.

14 **Secs. 40-1-110--40-1-130. Reserved.**

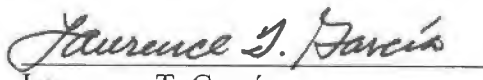
1 **Section 2.** This ordinance is hereby declared necessary to preserve the public peace, health,
2 safety, and welfare of the People of the City of Detroit.

3 **Section 3.** All ordinances, or parts of ordinances, that conflict with this ordinance are repealed.

4 **Section 4.** The division added by this ordinance has been enacted as comprehensive local
5 legislation. It is intended to be the sole and exclusive law regarding its subject matter, subject to
6 provisions of state law.

7 **Section 5.** In the event this ordinance is passed by two-thirds (2/3) majority of City Council
8 Members serving, it shall be given immediate effect and become effective upon publication in
9 accordance with Section 4-118 of the 2012 Detroit City Charter. Where this ordinance is passed
10 by less than a two-thirds (2/3) majority of City Council Members serving, it shall become effective
11 on the thirtieth (30) day after enactment, or on the first business day thereafter, in accordance with
12 Section 4-118 of the 2012 Detroit City Charter.

Approved as to form:


Lawrence T. García
Corporation Counsel